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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,438	03/26/2004	Paris Smaragdis	MERL-1566	8963
22199 7590 10/04/2007 MITSUBISHI ELECTRIC RESEARCH LABORATORIES, INC. 201 BROADWAY 8TH FLOOR CAMBRIDGE, MA 02139			EXAMINER PAUL. DISLER	
			ART UNIT 2615	PAPER NUMBER
			MAIL DATE 10/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/810,438	Applicant(s) SMARAGDIS ET AL.	
	Examiner Disler Paul	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10,15-19 are rejected under 35 U.S.C. 102(b as being anticipated by Carter (US 2002/01500262 A1).

Re claim 1, Carter disclose of the method for propagating sound information (fig.1-2; page 1[0003]), comprising: acquiring sound information in an open environment (fig.1 wt (20); page 1[0014] line 1-3); analyzing the sound information to detect selected sound information (fig.1 wt (30,40)); page 2[0015-0017/detected sound may be compared to stored sample sounds for selection); and propagating the selected sound information to an acoustically isolated environment (fig.1 wt (45); page 2[0019]/signal may be broadcasted to appropriate occupant in vehicle).

Re claim 2, the method of claim 1, further comprising: storing the selected sound information in a memory (page 2[0017] line 4-9; page 1[0010]/sound stored samples).

Re claim 3, the method of claim 1, in which the selected sound information is predetermined (page 2[0017] line 4-9/signal info may be predetermined wt stored info).

Re claim 4, the method of claim 1, in which the propagating generates an audio signal corresponding the selected sound signal (page 2[0017] line 12-16; page 2[0018]/broadcast pre-recorded message for particular selected signal wt fig.1 (30)).

Re claim 5, the method of claim 1, in which the propagating generates a visual signal corresponding the selected sound signal (fig.1 (35); page 2[0018]).

Re claim 6, the method of claim 1, in which the selected sound information is propagated to a user in a soundproof environment (page 1[002-0003]/inside sound proof automobile).

Re claims 7-8 have been analyzed and rejected with respect to claim 6.

Re claim 9, the method of claim 1, in which the acoustically isolated environment is provided by headphones (page 2[0019]/line 1-4 wt headphones).

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Re claim 10, the method of claim 1, in which the selected sound information is selected from a group consisting of car honks, sirens, camalfunctions, cries, and bells (page 1[0013] line 6-10; page 2[0020] line 11-18/sirens of automobile).

Re claim 15, Carter disclose of the system for propagating sound information, comprising: a microphone configured to acquiring sound information in an open environment (fig.1 (20)); means, connected to the microphone, for analyzing the sound information to detect selected sound information (fig.1 (30,40)); and means, connected to the means for analyzing, for propagating the selected sound information to an acoustically isolated environment (fig.1 (45)).

Re claim 16 has been analyzed and rejected with respect to claim 2 above.

Re claim 17, the system of claim 15, in which the means for propagating is a loudspeaker (fig.1 (45)).

Re claim 18, the system of claim 15, in which the means for propagating is a display device (fig.1 (35); page 2[0018]).

Re claim 19, the system of claim 15, in which the means for propagating includes a loudspeaker and a display device (fig.1 (45,35)).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 12-14, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter (US 2002/01500262 A1) and further in view of Serageldin et al. (US 4,952,931).

Re claim 12, the method of claim 1, However, Carter fail to disclose of the further comprising: indicating a direction of the selected sound information, But, Serageldin et al. disclose of a sound detecting system wherein the indicating a direction of the selected sound information (fig.1-2; col 3 line 20-30; col.6 line 6-21) for the purpose recognizing the path siren and preventing a panic and causing other vehicle behind to crash in a chain of collisions or colliding with the emergency vehicle or nearby cars. Thus, taking the combined teaching of Carter and Serageldin et al. as a whole, it would have been obvious for one of the ordinary skill in the art to have incorporated the indicating a direction of the selected sound

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information for the purpose recognizing the path siren and preventing a panic and causing other vehicle behind to crash in a chain of collisions or colliding with the emergency vehicle or nearby cars.

Re claim 13, the method of claim 12, in which the direction is indicated visually (Serageldin, col.5 line 28-30).

Re claim 14, the method of claim 12, in which the direction is indicated acoustically by a stereo signal (Serageldin, fig.1; col.5 line 28-30).

Re claim 20, the system of claim 15, further comprising: means for indicating a direction of the selected sound information (fig.1; col.5 line 28-30).

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carter (US 2002/01500262 A1) and further in view of Official Notice.

Re claim 11, the method of claim 1, However, Carter fail to disclose of the selected sound information is speech of a person having a predetermined identity. However, official Notice is taken the concept of having a selected sound information being the speech of a

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person with predetermined identity is commonly known in the art, thus it would have been obvious for one of the ordinary skill in the art to have incorporated the speech of a person with predetermined identity in the system for the purpose of making distracting teens more accepting to pay attentions of upcoming dangerous conditions.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Disler Paul whose telephone number is 571-270-1187. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DP


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